

In re:
Michael DeVito
Taralynn Theresa O'Brien
Debtor(s)

Case No. 19-17124-amc
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2
Date Rcvd: Nov 18, 2020

User: Adminstra
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 20, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Michael DeVito, Taralynn Theresa O'Brien, 210 Hazel Avenue, Folsom, PA 19033-2316

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 20, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 18, 2020 at the address(es) listed below:

Name	Email Address
ALBERT JAMES MILLAR	on behalf of Creditor PA Dept of Revenue RA-occbankruptcy3@state.pa.us RA-occbankruptcy6@state.pa.us
JACK K. MILLER	on behalf of Trustee WILLIAM C. MILLER Esq. philaecf@gmail.com, ecfemails@ph13trustee.com
JEROME B. BLANK	on behalf of Creditor FREEDOM MORTGAGE CORPORATION paeb@fedphe.com
MARIO J. HANYON	on behalf of Creditor FREEDOM MORTGAGE CORPORATION mario.hanyon@brockandscott.com wbcef@brockandscott.com
REBECCA ANN SOLARZ	on behalf of Creditor FREEDOM MORTGAGE CORPORATION bkgroup@kmlawgroup.com

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REGINA COHEN

on behalf of Creditor Ally Bank also d/b/a Ally Capital rcohen@lavin-law.com ksweeney@lavin-law.com

THOMAS YOUNG.HAE SONG

on behalf of Creditor FREEDOM MORTGAGE CORPORATION paeb@fedphe.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

WILLIAM C. MILLER, Esq.

ecfemails@ph13trustee.com philaecf@gmail.com

WILLIAM D. SCHROEDER, JR

on behalf of Joint Debtor Taralynn Theresa O'Brien schroeder@jrlaw.org Healey@jrlaw.org

WILLIAM D. SCHROEDER, JR

on behalf of Debtor Michael DeVito schroeder@jrlaw.org Healey@jrlaw.org

TOTAL: 11

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	: BANKRUPTCY NO. 19-17124(AMC)
MICHAEL DEVITO and	:
TARALYNN THERESA O'BRIEN	:
Debtors	: CHAPTER 13

**STIPULATION RESOLVING ALLY BANK ALSO D/B/A ALLY CAPITAL'S
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

THIS MATTER having been brought before the Court on a Motion for Relief from the Automatic Stay by Lavin, Cedrone, Graver, Boyd & DiSipio, attorneys for Ally Bank also d/b/a Ally Capital ("Ally") and William D. Schroeder, Jr., Esquire, attorney for Michael DeVito and Taralynn Theresa O'Brien (collectively, the "Debtors"), having consented to the entry of the within Order, and for good cause shown;

AND NOW COMES Ally, by and through its counsel, and states as follows:

(a) Michael DeVito (the "Debtor") and non-filing party Barbara A. O'Brien financed the purchase of a 2015 Kia Sportage, VIN: KNDPB3ACXF7735412 (the "Vehicle") pursuant to the terms of a Retail Installment Sale Contract dated November 5, 2016 (the "Contract") which has been assigned to Ally.

(b) Pursuant to the Contract, Ally maintains a perfected security interest in and to: (a) the Vehicle; (b) accessories, equipment and replacement parts installed in the Vehicle; and (c) service contracts on the Vehicle.

(c) The Debtors desire to retain possession of the Vehicle and provide adequate protection for Ally's interest in the Vehicle.

NOW THEREFORE, in consideration of the above, the parties STIPULATE AND AGREE as follows:

1. The Debtor is \$4,108.20 in post-petition arrears through and including the October 20, 2020 due payment. The Debtor acknowledge his account is in post-petition arrears in the amount of \$4,108.20 through and including the October 20, 2020 due payment.

2. The Debtor shall cure the post-petition arrears in the amount of \$4,108.20 by making an immediate payment in the amount of \$2,000.00 on or before November 20, 2020 and curing the remaining post-petition arrears in the amount of \$2,108.20 by paying an additional payment of \$175.69 (which, along with the regular contractual payment due in the amount of \$342.35, will result in a total payment of \$518.04) monthly for twelve (12) months commencing with a payment due on or before November 20, 2020 and ending with a payment due on or before October 20, 2021. Said payment shall be forwarded to: Ally Capital, Payment Processing Center, P.O. Box 78367, Phoenix, AZ 85062-8367.

3. The Debtor shall make the November 20, 2020 contract payment and cure payment and all future payments on time. Said payments shall be forwarded to: Ally Capital, Payment Processing Center, P.O. Box 78367, Phoenix, AZ 85062-8367.

4. The Debtor shall resume making regular payments in the amount of \$342.35 commencing with the payment due November 20, 2021.

5. All payments shall be made payable to Ally and include Debtor's account number.

6. The Debtor hereby agrees to maintain insurance coverage in such types and amounts as are required by the Contract until such time as all amounts due Ally under the Contract are paid in full.

7. If Debtor fails to comply with any of the stipulated terms herein, or if Debtor fails to make the regular payments due and owing within fifteen (15) days of due date, Ally will give

Debtor and Debtor's counsel notice by facsimile, first class mail or e-mail. Debtor will have fifteen (15) days to bring the account current. If the account is not brought current within the fifteen (15) day period, Ally may be granted relief from the automatic stay imposed by 11 U.S.C. §362 with respect to the Vehicle as to the Debtor upon filing a Certification of Counsel that Debtor is in default, together with a proposed Order to the Bankruptcy Court, and serving copies of the same upon the Debtor, Debtor's counsel and Chapter 13 Trustee. It is also expressly understood that the notice and cure period provided herein, only applies with respect to Ally's ability to obtain relief from the automatic stay in this bankruptcy case and does not in any way apply to or restrict Ally's ability to pursue its rights pursuant to the Contract.

8. If for any reason Debtor(s)' case is closed, terminated, dismissed or converted, the parties hereto agree and acknowledge that the terms of this agreed/stipulated order will be null and void and the parties are returned to the status quo with their respective rights under state law and the Contract.


9. The Trustee has no objection to the terms of the stipulation, without prejudice to any of their rights and remedies.

10. This Stipulation may be executed by facsimile and such facsimile signatures shall be deemed as originals.

11. The signature pages of this Stipulation may be executed in counterpart and all such signature pages, when attached, shall become part of the original Stipulation.


CONSENTED TO BY:

DATED: 11-13-20


WILLIAM D. SCHROEDER, JR., ESQUIRE
Attorney for the Debtors

CONSENTED TO BY:

DATED: 11/16/20


REGINA COHEN, ESQUIRE
Attorneys for Ally Bank also d/b/a Ally Capital

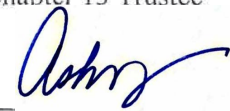
CONSENTED TO BY:

DATED: 11/16/2020

/s/ Jack Miller
WILLIAM C. MILLER
Chapter 13 Trustee

SO ORDERED:

ENTERED ON: _____


ASHELY M. CHAN
United States Bankruptcy Judge

Date: November 18, 2020

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